

Ross.
Stafford.
Terrell.
Turney.

Woods.
Yantis.
Yett.

Nays—11.

Beall.
Bowser.
Darwin.
Dibrell.
Goss.
Harrison.

Lewis.
Linn, Wharton.
Neal.
Rogers.
Wayland.

Absent.

Presler.
Stone.

Tillett.

Excused.

Bailey. Boren.

The amendment (Darwin's) was lost.

The bill was then ordered engrossed.

On motion of Senator Gough, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.
Beall.
Bowser.
Burns.
Colquitt.
Dibrell.
Gough.
Greer.
Kerr.
Linn, Victoria.
Morris.

Neal.
Rogers.
Ross.
Stafford.
Terrell.
Turney.
Wayland.
Woods.
Yantis.
Yett.

Nays—5.

Darwin.
Goss.
Harrison.

Lewis.
Linn, Wharton.

Absent.

Presler.
Stone.

Tillett.

Excused.

Bailey. Boren.

Bill read third time, and passed.

Senator Gough moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Carried by the following vote:

Yeas—18.

Atlee.
Beall.
Bowser.
Colquitt.
Dibrell.
Gough.
Greer.
Kerr.
Linn, Victoria.

Morris.
Rogers.
Ross.
Stafford.
Terrell.
Turney.
Wayland.
Woods.
Yantis.

Nays—8.

Burns.
Darwin.
Goss.
Harrison.

Lewis.
Linn, Wharton.
Neal.
Yett.

Absent.

Presler.
Stone.

Tillett.

Excused.

Bailey. Boren.

Senator Colquitt introduced the following bill:

Senate bill No. 14, a bill to be entitled "An act to amend sections 1069 and 1070, of the Revised Civil Statutes of the State of Texas, relating to the appointment of special district judges, and to reduce the expense of the State government."

Read first time, and referred to the Committee on State Affairs.

(Lieutenant Governor Jester in the chair.)

Senator Lewis moved to suspend the constitutional rule requiring bills to be read on three several days, and that Senate bill No. 7 (fellow-servant bill) be put upon its third reading and final passage.

Senator Dibrell made the point of order that the motion to suspend was not in order, for the reason that the same motion had been voted down.

Sustained.

On motion of Senator Linn of Victoria,

Senator Stone was excused indefinitely, on account of important business.

On motion of Senator Morris, the Senate adjourned to 10 a. m. to-morrow.

FIFTEENTH DAY.

Senate Chamber,

Austin, Tex., Thursday, June 10.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Atlee.
Bailey.
Beall.
Bowser.
Burns.
Colquitt.
Darwin.
Dibrell.

Goss.
Gough.
Greer.
Harrison.
Kerr.
Lewis.
Linn of Victoria.
Linn of Wharton.

Morriss.
Neal.
Presler.
Rogers.
Ross.
Stafford.
Terrell.

Tillett.
Turney.
Wayland.
Woods.
Yantis.
Yett.

Excused.

Boren.

Stone.

Prayer by the Chaplain, Rev. F. S. Jackson, as follows:

Almighty God: Thy well-directed providence has been over us all the days of our lives and saved us from a thousand dangers and accidents. With grateful hearts we acknowledge Thy sovereign and fatherly care, and pray Thee to continue us the objects of Thy love and mercy. Under the touch of divine thought, human mind has almost entered the realm of the infinite and brought forth productions that lighten the burdens of man, give insight to his own being, and point with promise to the glorious millenium, when man in power, purity and creative genius will be restored to his Maker's image. Oh, God, give us hearts that will yield to every divine impulse, and minds that seek to know all the beauties and blessings of nature. Rid us of selfishness, narrowness and every habit that is incompatible with Thy law and gospel. Give us patience and strength for our duties. Forgive our sins, and save us in Christ. Amen.

Pending the reading of the Journal of yesterday,

On motion of Senator Woods, the same was dispensed with.

On motion of Senator Greer,

Senator Tillett was excused for non-attendance on yesterday and the day before, on account of important business.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, June 10, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 7, a bill to be entitled "An act to prescribe and define the liability of persons, receivers and corporations operating railroads or street railways for injuries to their servants and employes, to define who are fellow-servants, and to prohibit contracts between employer and em-

ploye based upon the contingency of the injury or death of the employe, limiting the liability of the employer for damages,"

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, June 10, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on State Affairs, to whom was referred

Senate bill No. 14, a bill to be entitled "An act to amend sections 1069 and 1070, of the Revised Civil Statutes of the State of Texas, relating to the appointment of special district judges, and to reduce the expenses of the State government,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEALL, Chairman.

Committee Room,

Austin, Texas, June 9, 1897.

Hon. Geo. T. Jester, President of the Senate, and Hon. L. T. Dashiell, Speaker of the House of Representatives:

We, your conference committee on

Senate bill No. 5, a bill to be entitled "An act making appropriations for deficiencies in the appropriation heretofore made for payment of expenses in support of the State government from March 1, 1895, to February 28, 1897, and for previous years, being for payment of claims registered in the Comptroller's office in accordance with law, and for outstanding claims not registered, and other deficiencies,"

Have had the same under consideration, and recommend that the Senate do concur in the House amendments, which are as follows:

First. Amend by striking out the words and figures on page 2, "Salary of stenographer from July 1, 1895, to February 28, 1897, \$2000."

Second. Also amend by striking out, on same page, the words and figures, "Salary of stenographer from October 1, 1896, to February 28, 1897, \$500."

Third. Also amend by striking out, on same page, "Salary of stenographer from September 1, 1895, to February 28, 1897, \$1800."

Fourth. Also amend by striking out the words and figures on page 3, "To refund liquor tax erroneously collect-

ed from T. B. Bond from December 15, 1894, to December 15, 1895, being one year's tax, \$300."

Fifth. Also amend by striking out, on same page, "To refund liquor tax erroneously collected from M. A. Dillard, druggist in local option precinct, from August 2, 1893, to August 2, 1894, being one year's tax, \$300."

Sixth. Also amend by striking out, on same page, "To refund liquor tax erroneously collected from J. J. Hooper, from December 15, 1894, to December 15, 1895, being one year's tax, \$300."

Seventh. Also amend by striking out, on page 2, "J. B. Nunnally, for taxes paid the State by error, \$66.55."

Eighth. Also amend by striking out, on page 3, "To refund to the First National bank of Aransas Pass, for taxes paid the State by error as occupation taxes, for the years from October 8, 1890 (as shown by record in the Comptroller's office), to January, 1895, \$106.25."

Ninth. Also amend by striking out, on same page, "To W. D. Cleveland, of Houston, Texas, refund of State taxes paid for the years 1894 and 1895, through error, said amount having been paid by J. C. Hutcheson upon the same property for the said years (1894 and 1895), \$43.50."

Tenth. Also amend by inserting after "purchasers of public domain, 1896-97," on page 2, the following, "where, in accordance to the certificate of the Commissioner of the General Land Office, it is shown that because of conflict, erroneous sales and other causes, patents can not issue, said claims to be approved by the Attorney-General and Governor."

Eleventh. Amend lines 1 and 2, page 3, by striking out the word "six" and inserting "five," and strike out the figures "\$210" and insert "\$175."

Twelfth. Amend by adding the words "To Lawrence Smith" at the beginning of line 1, page 3.

We respectfully submit that the items stricken out by the above amendments are not properly deficiencies, and should not be included in the deficiency appropriation bill, and hence have recommended that the Senate do concur in said amendments.

We would further suggest and recommend that the parties owning or holding said claims present same to the Committee on Claims and Ac-

counts of either house for the purpose of being investigated and reported upon by the said committee.

Respectfully submitted.

WAYLAND,
BOWSER,
WOODS,
DIBRELL,
PRESLER,

On the part of the Senate.

DEAN,
OLIVER.
MORRIS,
THOMAS,
CURRY,

On part of the House.

Call concluded.

BILLS ON SECOND READING.

The Chair laid before the Senate, on second reading,

Senate bill No. 1, a bill to be entitled "An act to amend article 4560g, of chapter 12b, title XCIV, of the Revised Civil Statutes of the State of Texas, on the subject of railroads, defining who are fellow-servants,"

With adverse majority and favorable minority committee reports, action being on Senator Atlee's motion to substitute the minority committee report for that of the majority.

Senator Darwin moved to postpone consideration of the bill till Monday next after call.

Carried by the following vote:

Yeas—22.

Atlee.	Linn of Victoria.
Bailey.	Morriss.
Bowser.	Neal.
Burns.	Presler.
Colquitt.	Rogers.
Darwin.	Ross.
Goss.	Terrell.
Gough.	Tillett.
Greer.	Woods.
Harrison.	Yantis.
Lewis.	Yett.

Nays—5.

Beall.	Turney.
Dibrell.	Wayland.
Stafford.	

Absent.

Kerr.	Linn of Wharton.
-------	------------------

Excused.

Boren.	Stone.
--------	--------

BILLS ON THIRD READING.

The Chair laid before the Senate, on third reading,

Senate bill No. 7, a bill to be entitled "An act to prescribe and define

the liability of persons, receivers or corporations operating railroads or street railways for injury to their servants and employes, and to prohibit contracts between employer and employe based upon the contingency of the injury or death of the employe, limiting the liability of the employer for damages."

Bill read third time.

By Senator Atlee:

Add to section 1 the following: "And where the act of negligence causing damages to such employe occurred in another State or country where a right of action subsists against the employer for the damages occasioned, the liability of such person, receiver, or corporation may be fixed and a recovery had in the courts of Texas, without regard to any law or rule of practice or proceeding in the courts of the State or county pertaining to the remedy."

Senator Beall made the point of order that the amendment was not germane.

Not sustained.

The amendment was then lost by the following vote (requiring two-thirds):

Yeas—12.

Atlee.	Ross.
Bailey.	Stafford.
Burns.	Terrell.
Kerr.	Tillett.
Neal.	Woods.
Presler.	Yantis.

Nays—10.

Beall.	Greer.
Darwin.	Harrison.
Dibrell.	Lewis.
Goss.	Linn, Victoria.
Gough.	Wayland.

Absent.

Bowser.	Turney.
Colquitt.	Linn, Wharton.
Morriss.	Yett.
Rogers.	

Excused.

Boren.	Stone.
--------	--------

(Senator Tillett in the chair.)

By Senator Dibrell:

Add to section 5 of the bill the following: "Provided, nothing in this act shall ever be construed so as to make any such person, receiver or corporation liable for taxes as life insurance companies."

Senator Lewis made the point of order that the amendment was not germane.

Sustained.

5—Senate

Senator Dibrell appealed from the ruling of the Chair.

The Chair was sustained by the following vote:

Yeas—24.

Atlee.	Lewis.
Beall.	Linn of Victoria.
Bowser.	Linn of Wharton.
Burns.	Morriss.
Colquitt.	Neal.
Darwin.	Presler.
Dibrell.	Ross.
Goss.	Stafford.
Gough.	Terrell.
Greer.	Wayland.
Harrison.	Woods.
Kerr.	Yantis.

Nays—none.

Present, not voting.

Tillett.

Absent.

Bailey.	Turney.
Rogers.	Yett.

Excused.

Boren.	Stone.
--------	--------

Senator Colquitt then moved the previous question on the passage of the bill, which was seconded and ordered.

The bill was then passed by the following vote:

Yeas—20.

Atlee.	Linn of Wharton.
Bailey.	Morriss.
Beall.	Presler.
Bowser.	Rogers.
Colquitt.	Ross.
Gough.	Terrell.
Greer.	Tillett.
Harrison.	Wayland.
Lewis.	Woods.
Linn of Victoria.	Yantis.

Nays—5.

Burns.	Neal.
Dibrell.	Stafford.
Kerr.	

Yea.	Paired.	Nay.
Darwin.	Stone.	

Absent.

Goss.	Yett.
Turney.	

Excused.

Boren.

Senator Lewis moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Carried.

Senator Wayland called up the conference committee report on Senate bill No. 5 (deficiency appropriation

bill—see committee reports above), and moved its adoption.

Senator Beall moved as a substitute that the Senate do not adopt the report, and that another conference committee be requested.

Lost by the following vote:

Yeas—10.

Bailey.	Linn of Victoria.
Beall.	Linn of Wharton.
Burns.	Ross.
Goss.	Tillett.
Lewis.	Turney.

Nays—12.

Bowser.	Presler.
Darwin.	Rogers.
Dibrell.	Terrell.
Greer.	Wayland.
Harrison.	Woods.
Kerr.	Yantis.

Absent.

Atlee.	Neal.
Colquitt.	Stafford.
Gough.	Yett.
Morriss.	

Excused.

Boren.	Stone.
--------	--------

The committee report was then adopted.

We vote "no" on adoption of report of the conference committee on Senate bill No. 5 (the deficiency appropriation bill), for the reason that some of the items referred to the Committee on Claims by that report are as just as any item in the bill. The statute provides for salaries for stenographers for three of the Courts of Civil Appeals, and there is no reason why the amounts the bill carried to be paid for these is not as just, as a deficiency, as the item of paying sheriffs and other county officers. The item being just, we could not vote for a report that did not provide for their payment.

COLQUITT,
MORRIS,
TURNER,
BEALL.

(Lieutenant Governor Jester in the chair.)

Senator Tillett called up from the table, on third reading,

Senate bill No. 11, a bill to be entitled "An act defining an additional method of issuing and serving citations in district, county and justice courts, and defining their contents, and providing an additional method of making and serving certain certified

ings, and to reduce and regulate the fees therefor,"

Action being on final passage.

Pending action, the following message was received:

HOUSE MESSAGE.

Hall House of Representatives,
Austin, Texas, June 10, 1897.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has adopted the free conference committee report on Senate bill No. 5 (the general deficiency appropriation bill), by a two-thirds vote: yeas 89, nays 1.

Respectfully,

LEE J. ROJNTREE,
Chief Clerk House of Representatives.

After discussion of the above pending bill,

On motion of Senator Yantis, the Senate adjourned to 10 a. m. to-morrow.

SIXTEENTH DAY.

Senate Chamber,
Austin, Tex., Friday, June 11,

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Atlee.	Linn, Victoria.
Bailey.	Linn, Wharton.
Beall.	Morriss.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Darwin.	Terrell.
Dibrell.	Tillett.
Goss.	Turney.
Gough.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Kerr.	Yett
Lewis.	

Absent.

Neal.	Presler.
-------	----------

Excused.

Boren.	Stone.
--------	--------

Prayer by the Rev. Sterling Fisher of San Antonio, as follows:

Our Father in Heaven: We are taught in Thy Word that every good gift, and every perfect gift, is from